Single Bench

(2)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CHHATTISGARH)

W. P. NO. 924 OF 2005

PETITIONER

Rajender Singh (Arora), S/o Shri Sujan Singh, aged about 52 years,Corporator, Municipal Corporation Bhilai, R/o MIG 10, Viashali Nagar, Supela, Bhilai Nagar, District Durg [Chhattisgarh]

VERSUS

RESPONDENTS

1. Commissioner, Adim Jati tatha Anusuchit Jati Vikas, Ravi Shankar Vishwavidyalaya Parisar, Raipur [Chhattisgarh]
2. Jati Praman Patra Uchha Stariya Chhanbin Samiti, Through its Secretary, Ravi Shankar Vishwavidyalaya Parisar, Raipur [Chhattisgarh]
3. Shri Samay Lal Sahu, S/o Shri Mahnguram Sahu, Resident of Santoshipara, Camp-2, Bhilai District Durg [Chhattisgarh]
4. Shri Rama Vishwakarma, S/o Shri Chetram Vishwakarma Resident of Baikunthnagar, Camp-2, Bhilai, District Durg [Chhattisgarh].
5. The Sub Divisional Officer, Chhawni, District Durg, (CG)

P.R. No. 915/05 Bilaspur
Presented by Shri A. Agrawal
dated 03/8/05

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN NATURE OF CERTIORARI, MANDAMUS AND OTHER SUITABLE WRIT OR WRITS, DIRECTION OR DIRECTIONS, ORDER OR ORDERS:

The petitioner, above-named, most respectfully submits as under:

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(111)

मामला क्रमांक W.P. No. 924/ सन् 2005

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	4.1.2007: Shri Manindra Shrivastava with Shri Ashish Shrivastava learned counsel for the petitioner. Shri N.K. Vyas learned counsel for respondents 3 and 4. Shri Sanjay S. Agrawal GA for the respondents 1, 2 and 5. Heard. Learned counsel for the petitioner submits that the respondent No.2, a committee constituted as per the directions of the Supreme Court in the matter of Ku. Madhuri Patil and another Vs. Additional Commissioner, Tribal Development, Thane and others reported in AIR 1995 SC 94 is conducting an inquiry regarding the caste of the petitioner without following the detailed directions given in paragraph 13 (4,5 and 6) of the said judgment. He further submits that there was no material available on record before the Director on the basis of which the inquiry can be initiated by a High Level Committee i.e. respondent No.2 and this in fact is one kind of harassment and in the aforesaid circumstances the inquiry pending against the petitioner is liable to be quashed. On the other hand counsel for respondents 3 and 4 submits that as per the directions of the Supreme Court in the above referred matter, the committee was constituted and on the basis of the report of the Director regarding the caste of the petitioner the ~~same~~ enquiry is being conducted. He further submits that the petitioner has all the opportunities to raise the grievances before the said committee which shall be decided in terms of	

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ...W.P.No.924/ सन् 2005

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

the judgment of the Supreme Court referred above and the inquiry cannot be quashed at the outset.

It is not in dispute that respondent No.2 is seized of the inquiry against the petitioner and the petitioner is participating in the said inquiry. Grievances raised in this petition may be raised by the petitioner before the committee and in that event the committee would be obliged to follow the procedure prescribed in the judgment of the Supreme Court referred above and only after adopting the said procedure some order has to be passed.

With these observations the petition is disposed of.

Sd/-
Dhirendra Mishra
Judge

P.T.O.